

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)
INFORMATION FILED WITH BELL SOUTH TELE-)
COMMUNICATIONS, INC.'S PROPOSED TARIFF)
TO RESTRUCTURE THE SERVICE CHARGES FOR) CASE NO. 95-449
OBTAINING EXCHANGE ACCESS LINES, MAKING)
CHANGES ON EXISTING SERVICE, OR ADDING)
SERVICES OTHER THAN EXCHANGE ACCESS)
LINES)

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed October 6, 1995, for confidential protection of the cost data filed in support of its proposed revisions of its tariff to restructure the service charges for obtaining exchange access lines, making changes on existing service, or adding services other than exchange access lines on the grounds that disclosure of the information is likely to cause BellSouth competitive injury, and it appearing to this Commission as follows:

BellSouth has submitted for approval proposed revisions to its tariff that will restructure the service charges for obtaining exchange access lines, making changes on existing service, or adding services other than exchange access lines. In support of its application for approval of the proposed tariff, BellSouth has filed cost information which it seeks to protect as confidential.

The information is not known outside of BellSouth and is not disseminated within BellSouth except to those employees who have a

legitimate business need to know and act upon the information. BellSouth seeks to preserve and protect the confidentiality of the information through all appropriate means, including the maintenance of security in its offices.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That subsection of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

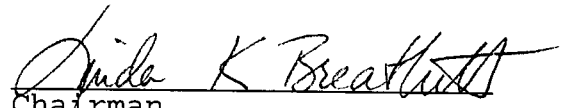
BellSouth's competitors for local exchange service include ACSL, MFS, Louisville LightWave, and Kentucky Telephone. These competitors could use the cost and demand information sought to be protected to develop prices and pricing strategy using information developed by BellSouth. Therefore, disclosure of the information is likely to cause BellSouth competitive injury, and the information should be protected as confidential.

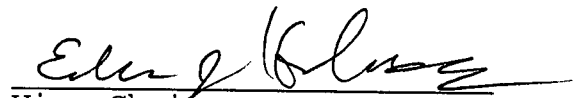
This Commission being otherwise sufficiently advised,

IT IS ORDERED that the cost information filed in support of the proposed tariff revisions, which BellSouth has petitioned to be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 20th day of March, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director